

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

**UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,**

Plaintiff,

v.

MARLON QUAN, *et al.*,

Defendants.

CIVIL NO. 11-723 (ADM-JSM)

**STIPULATION FOR MODIFICATION OF PRETRIAL SCHEDULING ORDER
TO EXTEND TIME FOR FILING OF EXPERT MOTION**

Defendants Marlon Quan, Acorn Capital Group, LLC, Stewardship Investment Advisors, LLC, and ACG II LLC (collectively “Defendants”), and Relief Defendant Florene Quan, by and through their undersigned counsel, and Plaintiff United States Securities and Exchange Commission (“SEC”), by and through its undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, the parties have agreed that there is good cause to extend the deadline to file a *Daubert* motions relating to the SEC’s expert witness, Michael Mayer until June 20, 2013. Although originally scheduled for March 21, 2013 – before the March 31 cut-off date for expert depositions – the deposition was rescheduled twice at the SEC’s request, once to accommodate a scheduling conflict that developed for Mr. Mayer and a second time due to the illness of one of the SEC’s trial counsel. The deposition was

ultimately taken on May 9, and the transcript became available to Defendants on May 23. In these circumstances, counsel was unable with diligence to complete by June 3, 2013 both the contemplated *Daubert* motion and the summary judgment motions due the same day.

Consistent with Fed. R. Civ. P. 16(b) and D. Minn. LR 16.3, the parties have worked diligently to complete discovery and non-dispositive motion practice by the stated deadlines in the Scheduling Order. As of the date of this stipulation, all fact and expert discovery is completed, including requests for production of documents by both sides, 17 fact witness depositions, exchange of expert information and report, and one expert witness deposition.

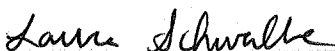
NOW, THEREFORE, the parties hereby stipulate and agree as follows:

1. Defendants shall have through and including June 20, 2013 to file a *Daubert* motion in connection with the SEC's Expert Witness.
2. The SEC shall have through and including July 11, 2013 to file any Opposition.
3. Defendant shall have through and including July 18, 2013 to file a Reply.
4. The parties stipulate to the entry of an appropriate order so providing.

Dated: June 3, 2013

/s Timothy Leiman
John E. Birkenheier
C.J. Kerstetter
Timothy Leiman
Sally J. Hewitt

U.S. Securities and Exchange Commission
Chicago Regional Office
175 Jackson Boulevard West, Suite 900
Chicago, IL 60604-2615
(312) 353-7435
birkenheierj@sec.gov
kerstetterc@sec.gov
leimant@sec.gov
hewitts@sec.gov
Attorneys for Plaintiff United States Securities and
Exchange Commission


Bruce E. Coolidge (Reg. No. 278952)
Laura Schwalbe (Reg. No. 1011907)
Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Ave, NW
Washington, D.C. 20006
(202) 663-6000
bruce.coolidge@wilmerhale.com
laura.schwalbe@wilmerhale.com
(admitted *pro hac vice*)

Sanket Bulsara (Reg. No. 4181640)
Wilmer Cutler Pickering Hale and Dorr LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
(212) 230-8800
sanket.bulsara@wilmerhale.com
(admitted *pro hac vice*)

Attorneys for Defendants and Relief Defendant